

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

TODD C. BANK,

*Plaintiff,*

-against-

SAFE HOME SECURITY, INC.,

*Defendant.*

1:15-cv-06928-JG-VMS

**DECLARATION OF TODD C. BANK**

1. I am the plaintiff in the above-captioned matter.
2. I submit this declaration in support of my motion for an Order: (1) pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, amending the caption so as to reflect that this action is a class action; (2) pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure and Rule 55.2(b) of the Local Rules of the Eastern District of New York, for a default judgment against Defendant, Safe Home Security, Inc. (“Safe Home”); (3) granting me permission to engage in class-certification discovery pursuant to Rule 45 of the Federal Rules of Civil Procedure; and (4) granting me any additional relief that the Court deems just and proper.
2. Annexed hereto as Exhibits “A,” “B,” and “C,” respectively, are true and accurate copies of the following: the Clerk’s certificate of default; a copy of the claim to which no response has been made; and a proposed form of default judgment.
3. On December 12, 2014, I received a telephone call (the “Subject Telephone Call”) on 718-521-6043 (the “Receiving Telephone Number”).
4. Upon answering the Subject Telephone Call, I heard a pre-recorded message stating that there was a robbery in this country every 15 seconds and then promoting a home-alarm system.

The pre-recorded voice told me to press the “one” key on my telephone for more information, which I then did. I then spoke to a person who identified himself as Chris, who transferred me to a person who identified himself as Louis in “verification department.” Louis told me that the alarm system that was the subject the call would be provided by his employer, Safe Home Security, and that Safe Home Security’s web site is [www.safehomesecurity.com](http://www.safehomesecurity.com). That web site belongs to Safe Home.

Pursuant to 28 U.S.C. Section 1746, I declare under penalty of perjury that the foregoing is true and correct.

*s/ Todd C Bank*  
Todd C. Bank  
Executed on January 13, 2016

**CERTIFICATE OF SERVICE**

I hereby certify that on January 13, 2016, a true and accurate copy of the foregoing document was filed electronically via the Court's electronic-filing (ECF) system. Notice of this filing will be sent to all parties by operation of the Court's ECF system and copies will be mailed to those parties, if any, by certified mail who are not served via the Court's ECF system: namely:

Safe Home Security, Inc.  
55 Sebethe Drive, Suite 201  
Cromwell, Connecticut 06416

Dated: January 13, 2016

s/ **Todd C. Bank**  
Todd C. Bank